

STAFF REPORT

DATE: May 8, 2023

TO: Governing Body, City Manager

FROM: Planning Commission

RE: April 13, 2023, Planning Commission Meeting



PUD-23-01. Final Plat for approximately 2.4 acres for the Arthur Heights PUD.

The planning commission considered a final plat for the subdivision of 2.4 acres of R-5 and C-1 Commercial zones in accordance with Ordinance 642 in the Arthur Heights PUD. The Commissioners studied the material provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. The Commission conducted a public hearing on April 13, 2023, in relation to the application where interested parties and citizens were given the opportunity to be heard. There were two citizen concerns addressed during the open hearing. Both were concerned with the drainage plan and the detention pond in “Reserve A” that is platted for the southeast part of lot 2. Another concern was how esthetically pleasing the planned storage units would be in lot 1.

Ken Lee, Garver, spoke on behalf of the applicant and addressed the concerns. He stated that the detention pond is intended to have seven feet of water. The seven-foot depth helps with mosquito control and alleviates the possibility of algae blooms. He stated that the drainage plan had been presented and approved by the City Engineer. He also stated that the PUD requires “self-storage warehousing units shall reflect residential design elements...” and that city staff will review any building permits and plans before approval. Mr. Lee then stood for questions from the commissioners about the citizen concerns.

After the hearing was closed, commissioners spoke about the existing PUD and what was allowed by right and the plat was being considered to split the lots for the use of a city dedicated street access. After discussion, Commissioners agreed that this was a reasonable request and met the guidelines for recommendation of the final plat to the Governing Body.

After review, the Planning Commission voted (by passing a 4-0 motion) to **recommend approval of the final plat for Arthur Heights as presented without changes or conditions.**

SD-23-03. Final Plat. Bel Aire Lakes. Request to plat approximately 78.80 acres of the single-family residential use as and R-5 zoning district.

The planning commission considered a final plat for the subdivision of 78.80 acres of R-5 zoning in accordance with Article 4 of the City of Bel Aire Subdivision Regulations. The Commissioners analyzed the plat provided by the applicant, including the proposed plat and other evidence presented by the representative for the applicant. A public hearing was conducted on April 13, 2023, in relation to the application where interested parties and citizens were given the opportunity to be heard. There

were no citizen concerns that were presented at the public hearing. Logan Mills with Certified Engineering Design, spoke on behalf of the applicant.

A concern from the representative was the need to insert floodplain information on the plat as the floodplain is updated and can change over time. Commissioners had questions regarding lots within the plat that appeared to be in the floodplain. Mr. Mills discussed the process of getting certain lots out of the floodplain through permits with the state and the intent to do so on any lot that requires this step before construction. There was continuing conversation about how water runs through the lot and where water will move. The drainage plat, which has been approved by staff was discussed to show how water will run and the plan for detention or passage under any roads. Mr. Mills discussed the requirements of analyzing existing run off on a site and then calculating “post development runoff” and how that affects reserve ponds and other drainage detention requirements and how the rate of runoff is then calculated.

Commissioners discussed the floodplain and how there will have to be steps taken when building in lots effected by the floodplain. It was also mentioned that there was agreement that having the floodplain on the plat was a reasonable concern due to the changing nature of the floodplain. Director of Planning and Community Development, Jay Cook, stated that the floodplain is required to be on the plat in accordance with Chapter 19—Subdivision Regulations. Article 19.5.5. Contents of the final plat state “When part of a subdivision lies within or abuts a Floodplain area as shown on the Federal Insurance Administrations “Flood Hazard Boundary Map” for Bel Aire, Kansas. The Floodplain shall be shown within a contour line and clearly labeled on the plat with the words “Floodplain Area”.”

After review, the Planning Commission voted (by passing a 4-0 motion) to **recommend approval of Bel Aire Lakes final plat as presented without changes or conditions.**

CON-23-03 LED backlit sign at Resurrection Catholic School in R-6 zoned property

Planning Commission reviewed a request to add a LED backlit message board sign at Resurrection Catholic School, located in a utility easement, in R-6 Residential Zoning District. The representative of the applicant was present and stood for questions from the Commissioners. Chairman Schmidt stated that there is a certain amount of illumination that and LED sign can produce within our code. Secretary Cook stated that the city standard is 3,000 NITS and asked the representative if the sign can be dimmable if the sign is too bright. The representative stated that there is a way to dim the brightness.

Chairman Schmidt closed the hearing for discussion. Commissioners were concerned with the brightness of the sign at night and wanted to verify that no citizen would have any issues with visibility while driving. They concurred with staff that a 6-month probationary period to determine if any problems would result in the placement of the sign would be necessary.

Having thoroughly reviewed the issue, Planning Commission voted (by passing a 4-0 motion) to **recommend that Council approve the sign proposed at Resurrection Catholic School in an R-6 zoning as presented with the condition for a six (6) month probation upon concerns from the general public.**

VAC-23-02 Vacating 10' back building setback to 4' at the Villas at Prestwick

Planning commission reviewed a request to vacate a ten (10) foot back building setback to four (4) foot at Lot 20, Block 1 of the Villas at Prestwick. Joey Deneke, MKEC, was the representative for the applicant and explained the necessity of the setback vacation. The request is necessary as the developers need more space in the front of the units to lessen the grade of the driveways to avoid future falling hazards to the applicants.

Chairman Schmidt closed the hearing. After a brief discussion the Commission had no concerns.

Having thoroughly reviewed the request, Planning Commission voted (by passing a 4-0 motion) to **recommend the Council vacate the back building setback from 10' to 4' at Villas at Prestwick as presented without changes.**